

carbon dioxide gas which created a pressure inside the cylinder. When the release valve was pressed, the liquid emerged under pressure from the cylinder and passed through the rubber tubing into the plastic nozzle whence it emerged in streams from the openings of the nozzle.

**LABEL, IN PART:** (Box) "Mam-Zelle Effervescent The New Way to Feminine Daintiness \* \* \* Feminine Hygiene Syringe Unit. This package contains syringe and bottle of 12 Mam-Zelle tablets (Sodium Chloride & Boric Acid.) Use as directed in enclosed circular. Caution: Use only one tablet at a time."

**NATURE OF CHARGE:** Misbranding, Section 502 (j), the device and the tablets were dangerous to health when used in the dosage and with the frequency and duration recommended in the labeling since the applicator nozzle which was to be inserted into the vagina had an exit hole at its very tip, thus enabling part of the liquid to be directed into the cervical opening with harmful results, and because of the excessive pressure in the device, the emerging liquid was applied with sufficient force to cause damage to the genital tract.

**DISPOSITION:** March 24, 1953. The Barclay Pharmaceutical Products Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. The devices were dismantled and rebuilt to correct the danger complained of.

### **VIOLATIVE SALES OF PRESCRIPTION DRUGS**

**3983. Misbranding of diethylstilbestrol tablets, dextro-amphetamine sulfate tablets, methyltestosterone tablets, and conjugated estrogens (equine) tablets. U. S. v. Nathan A. Riemer (Riemer Pharmacy), and Sidney Koach. Pleas of nolo contendere. Fines of \$250 against Defendant Riemer and \$50 against Defendant Koach. (F. D. C. No. 34311. Sample Nos. 35931-L, 35934-L, 36203-L, 36228-L.)**

**INFORMATION FILED:** February 9, 1953, Northern District of Ohio, against Nathan A. Riemer, trading as Riemer Pharmacy, Cleveland, Ohio, and Sidney Koach, an employee of the pharmacy.

**NATURE OF CHARGE:** On or about May 16 and 24 and June 10 and 11, 1952, while a number of *diethylstilbestrol tablets, dextro-amphetamine sulfate tablets, methyltestosterone tablets, and conjugated estrogens (equine) tablets* were being held for sale at the Riemer Pharmacy, after shipment in interstate commerce, various quantities of the drugs were dispensed without a prescription from a practitioner licensed by law to administer such drugs. Such dispensing was contrary to the provisions of Section 503 (b) (1) and resulted in the drugs so dispensed being misbranded.

Nathan A. Riemer was charged with causing the act of dispensing in each of the four counts of the information, and Sidney Koach was joined as a defendant in one of the counts.

**DISPOSITION:** March 2, 1953. Pleas of nolo contendere having been entered by the defendants, the court fined Defendant Riemer \$250 and Defendant Koach \$50.